

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ENERGY GROUP MANAGEMENT, LLC, and
EVEREST ENERGY MANAGEMENT, LLC,

Plaintiffs,

Case No. 12-cv-14378
Honorable Gershwin A. Drain

v.

PROSPECT STREET ENERGY, LLC, and
PROSPECT STREET VENTURES I, LLC,

Defendants,

and

THE AMERICAN ARBITRATION ASSOCIATION,

Nominal Defendant.

**ORDER DENYING MOTION FOR TEMPORARY RESTRAINING ORDER AND/OR
PRELIMINARY INJUNCTION [#2]**

Plaintiffs, Energy Group Management, LLC and Everest Energy Management, LLC, move this Court for a Temporary Restraining Order and/or Preliminary Injunction staying the American Arbitration Association from taking any further steps to appoint an arbitration panel in an underlying arbitration action.

This Court, having reviewed Plaintiffs' Motion and accompanying Brief, finds that the standard for issuing the requested injunctive relief has not been met. The Plaintiffs have not shown a strong or substantial likelihood or probability of success on the merits, nor have they shown that

they will suffer irreparable harm if the relief is not granted. There is an adequate remedy at law in this case. The other factors in the test have also not been met. *Sandison v. Mich. High Sch. Athletic Ass'n, Inc.*, 64 F.3d 1026, 1030 (6th Cir. 1995); *Deja Vu of Nashville, Inc. v. Metro. Gov't of Nashville & Davidson County*, 274 F.3d 377, 400 (6th Cir. 2001).

Accordingly, the Plaintiffs' Motion for a Temporary Restraining Order and/or Preliminary Injunction [#2] is DENIED.

SO ORDERED.

Dated: October 9, 2012

/s/ Gershwin A. Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record by electronic and/or ordinary mail.

/s/ Tanya Bankston
Deputy Clerk